

National Park Service, 12795 W. Alameda Parkway, P.O. Box 25287, Denver, Colorado 80225-0287, (303) 969-2511.

Dated: February 15, 1996.

Gerard Baker,

*Designated Federal Officer, Little Bighorn Battlefield National Monument, National Park Service.*

[FR Doc. 96-4163 Filed 2-22-96; 8:45 am]

BILLING CODE 4310-70-P

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental policy, 28 C.F.R. 50.7, notice is hereby given that a proposed partial consent decree in *United States v. John Morrell & Company*, Civil Action No. 96 4011 was lodged on January 5, 1996 with the United States District Court for the District of South Dakota. The proposed partial consent decree provides injunctive relief for violations of the Clean Water Act (the Act), 33 U.S.C. 1251 *et seq.* These violations stem from Morrell's inadequate reporting and recordkeeping practices and Morrell's exceedances of its National Pollutant Discharge Elimination System ("NPDES") permit contrary to the requirements of Section 308(a)(A) of the Act, 33 U.S.C. 1318(a)(A). The settlement requires Morrell to comply with the act and its permit limitations for twelve consecutive months, complete a pollution prevention and waste minimization audit, and hire and retain qualified personnel to operate the waste water treatment plant.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed partial consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. John Morrell & Company*, Civil Action No. 96 4011, DOJ Ref. #90-5-1-1-3973.

The proposed consent decree may be examined at the United States Department of Justice, Environment and Natural Resources Division, Denver Field Office, 999 18th Street, North Tower Suite 945, Denver, Colorado, 80202 and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, 202-624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120

G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$11.50 (25 cents per page reproduction costs), payable to the Consent Decree Library. Joel M. Gross,

*Chief, Environmental Enforcement Section.*

[FR Doc. 96-4089 Filed 2-22-96; 8:45 am]

BILLING CODE 4410-01-M

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on February 7, 1996, a proposed Consent Decree in *United States v. Penta Wood Products, Inc.*, Civil Action No. 96-C-0112C, was lodged with the United States District Court for the Western District of Wisconsin. This consent decree represents a settlement of claims under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9606, 9607, against Penta Wood Products, Inc. (Penta Wood) for past response costs incurred by the United States for removal actions at the Penta Wood facility and for Penta Wood's failure to comply with an administrative order issued to it pursuant to Section 106 of CERCLA, 42 U.S.C. 9606.

Under this settlement, Penta Wood will pay the United States \$37,400. In addition, Penta Wood will make further payments in the event that the company obtains additional funds through its good faith efforts to collect outstanding accounts receivable and/or sell certain pieces of equipment owned by the company. Finally, Penta Wood is required to transfer full ownership of a wastewater treatment unit to EPA, which EPA has been using in its efforts to clean up the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Penta Wood Products, Inc.*, D.J. Ref. 90-11-3-1369.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Western District of Wisconsin, 660 West Washington Ave., Suite 200, Madison, WI 53701-1585, and at Region 5, Office of the

Environmental Protection Agency, 77 West Jackson Blvd., Chicago, IL 60604, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005. In requesting a copy, please enclose a check in the amount of \$9.25 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

*Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 96-4096 Filed 2-22-96; 8:45 am]

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### Notice of Lodging of a Modification of Consent Decree Pursuant to Clean Water Act

In accordance with Departmental policy, 28 C.F.R. 50.7, notice is hereby given that a Consent Decree in *United States v. Sweat, et al.*, Docket No. 2:94-1673 (D.S.C.), was lodged with the United States District Court for the District of South Carolina on February 7, 1996.

The United States brought this action against the Estate of Richard Sweat, Sr. and Sweat's Dirt Hauling, Inc. The complaint alleges that Richard Sweat, Sr. and Sweat's Dirt Hauling, Inc. engaged in the unpermitted filling, clearing, and excavation of between 30 and 50 acres of wetlands along the Ashley River near Summerville, South Carolina, in violation of sections 301 and 404 of the Clean Water Act, 33 U.S.C. 1311, 1344. The United States intends to enter into a Consent Decree to resolve the liability for those violations. The Consent Decree (1) prohibits further section 404 violations by the defendants, and (2) provides for a restrictive covenant precluding development of certain wetland areas formerly owned by Richard Sweat, Sr. In return, the United States agrees that the provisions of the Consent Decree constitute a full settlement of the violations alleged in the complaint.

The Department of Justice will receive, until thirty (30) days from the date of this notice, written comments relating to the proposed Consent Decree. Comments should be addressed to the United States Department of Justice, Assistant Attorney General, Environment and Natural Resources Division, 10th Street and Pennsylvania Avenue, NW, Washington, DC 20530, to the attention of Ronald M. Spritzer, Senior Attorney, Environmental Defense Section, and should refer to *United*